Forest Land-Gadchiroli
Diversion of 3.44 ha. Forest land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Project Officer, Integrated Tribal Development Project, Gadchiroli for Construction of Eklavya Model Residential School, Korchi in Village Gutekasa Tal. Korachi District- Gadchiroli in the State of Maharashtra.

Government of Maharashtra
Revenue and Forest Department
Government Order No.: FLD-36A24/CR.31/F-10
Mantralaya, Mumbai-400 032
Date:- 07.06.2024

Reference:-

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur Letter No.Desk-17/ FCA-S1/ PID-417784/ Gadchiroli/ 2580, dt.04.12.2023.

Preamble:-

Additional Principal Chief Conservator of Forests & Nodal Officer, MS, Nagpur has submitted a proposal for diversion 3.44 ha. Forest Land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Construction of Eklavya Model Residential School in Village Gutekasa, Tal. Korchi District Gadchiroli in the State of Maharashtra.

Order:-

In exercise of powers under general approval given by MoEF&CC, Govt. of India vide Handbook of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 Guidelines-2023, Chapter 4 (para-4.1), Government of Maharashtra is pleased to grant **'In-Principle'** approval to the diversion of 3.44 ha. Forest Land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Construction of Eklavya Model Residential School in Village Gutekasa, Tal. Korchi, District-Gadchiroli in the State of Maharashtra.

The details of Forest Land proposed for diversion are as under:-

Sr. No.	Item of Work/ Purpose	Name of Village	Compt No.	Survey No.	Length in mtr.	Width in mtr.	Area in sq. mtr.	Area in ha.	Legal Status
1	School Building	Gutekasa, Tal. Korchi, Dist. Gadchiroli	515	46	86	30	2580.00	0.258	RF
2	Girls Hostel				80	29.50	2360.00	0.236	
3	Boys Hostel				80	29.50	2360.00	0.236	
4	Kitchen & Dining				30	18	540.00	0.054	
5	Guest House				10	8	80.00	0.008	
6	Principal Residence				13	10	130.00	0.013	
7	Type III Quarter				40	30	1200.00	0.120	
8	Type II Quarter				35	20	700.00	0.07	

9	Other (Pump Room etc)				10	8	80.00	0.008	
10	Play Ground Roads & External Development				244	100	24400.00	2.44	
	Total Area						**34430.00**	**3.44**	

2. <u>This 'In-principle' approval is issued subject to the following conditions:-</u>

1) The legal status of the land shall remain unchanged.

2) Deputy Conservator of Forests has certified that the proposed forest area constitutes an important habitat for endangered species like Sloth bear, leopard, Wolf etc., hence user agency shall comply with the mitigation measures suggested by PCCF (Wildlife), Maharashtra State, Nagpur.

3) **Compensatory Afforestation:-**

a) User Agency has proposed 3.44 ha. non-forest land that has been given by the District Collector in Village-Yerandi, Taluka-Kurkheda, District-Gadchiroli in Survey No.254, for Compensatory Afforestation, out of which admeasuring area 2.00 ha. is not suitable for CA, as there is vegetation. Hence, this 2.00 non-forest land can be accepted in lieu of forest land, and Compensatory Afforestation shall be taken up by the Forest Department over the 1.44 ha. non-forest land in Village- Yerandi,, Taluka-Kurkheda, District-Gadchiroli in Survey No.254, and 2.00 ha. of degraded forest land in Village-Gothangaon in compt. no.975, at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

b) The cost of Compensatory Afforestation at the prevailing wage rates as per Compensatory Afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The Scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

4) **Net Present Value:-**

a) The Forest Department shall charge the Net Present Value (NPV) for the 3.44 ha. Forest land to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.

b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged from the User Agency. The User Agency shall furnish an undertaking to this effect.

5) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the 'Final' approval under the Adhiniyam:

6) The non-forest land transferred and mutated in favour of the State Forest Department or the revenue forest land, as the case may be, shall be notified by the State Government as Protected Forests under section 29 of the Indian Forest Act, 1927 or

under the relevant section(s) of the local Forest Act, before issue of the "Final' approval under the Adhiniyam. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land as PF, along with compliance of 'in-principle' approval:

7) The demarcation of the proposed forest area shall be carried out at suitable places as per the direction of the DCF concerned at the cost of User Agency.

8) Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

9) All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivehs.nic.in);

10) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

11) The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar

12) No labour camp shall be established on the forest land.

13) User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;

14) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;

15) The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;

16) The user agency in consultation with the concerned Deputy Conservator of forest shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;

17) The total forest area utilized for this project shall not exceed 3.44 ha. and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;

18) The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;

19) User Agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;

20) The User Agency shall ensure compliance to all acts, rules, regulations and guidelines of the MoEF&CC, GoI, for the time being in force, as applicable to the subject project;

21) The layout plan of the proposal shall not be changed without prior approval of State Government (Forest Department).

22) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.

23) The forest land shall not be used for any purpose other than that specified in the project proposal.

24) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of the State and Central Government.

25) This approval shall be valid only for the diversion of forest land outside the confines of the Protected Areas.

26) This sanction is subject to the final clearance by the competent authorities for the project.

27) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.

28) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as per the provision of Adhiniyam and rules / guidelines issued there under;

29) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

30) Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

31) The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).

32) The said forest land may be allowed to be diverted subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur, and Additional Principal Chief Conservator of Forests & Nodal Officer, Nagpur.

3. This Government Order is available at the Government of Maharashtra’s website www.maharashtra.gov.in with reference No. 202406071743278219. This Order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

GANESH TUKARAM JADHAO

Digitally signed by GANESH TUKARAM JADHAO
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA, ou=REVENUE AND FOREST DEPARTMENT,
2.5.4.20=0078f58512d3ac01315bbbfa4b473ed7729dd2d31644106e2966ab9ee6e92d7d, postalCode=400032, st=Maharashtra,
serialNumber=6FEEDE606678D569A76B842319BD1C2969AA85BBA5CDCCEE147249F17965E8BB, cn=GANESH TUKARAM JADHAO
Date: 2024.06.07 17:56:46 +05'30'

(Ganesh Jadhao)
Under Secretary to the Government of Maharashtra

Copy to:-

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur.
3. Deputy Director General of Forests (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.

1. Additional Principal Chief Conservator of Forests & Nodal Officer, M.S., Nagpur
2. Principal Chief Conservator of Forests & CEO (Maha-CAMPA), M.S., Nagpur
3. Additional Principal Chief Conservator of Forests (Conservation), M.S., Nagpur
4. Collector, Gadchiroli.
5. Chief Executive Officer, Zilha Parishad, Gadchiroli.
6. Chief Conservator of Forests (T), Gadchiroli.
7. Deputy Conservator of Forests, Gadchiroli.
8. The Project Officer, Integrated Tribal Development Project, Gadchiroli
9. Select File (F-10)